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8 *Attorneys for Complainant*

9  
10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**  
12

13 In the Matter of the Accusation Against:

Case No. **2010-539**

14 **RAYMUNDO ARCIBAL SANTOS, JR., aka**  
15 **RAYMUNDO SANTOS**  
1906 W. Merritt Street  
16 Hanford, CA 93230

**ACCUSATION**

17 Registered Nurse License No. 656231

18 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
23 of Consumer Affairs.

24 **License History**

25 2. On or about April 14, 2005, the Board of Registered Nursing issued Registered Nurse  
26 License Number 656231 to Raymundo Arcibal Santos, Jr., also known as Raymundo Santos  
27 ("Respondent") The license was in full force and effect at all times relevant to the charges  
28 brought herein and will expire on May 31, 2010, unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Registered Nursing ("Board"),  
3 Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code ("Code"), unless otherwise indicated.

5 4. Code section 2750 provides, in pertinent part, that the Board may discipline any  
6 licensee, including a licensee holding a temporary or an inactive license, for any reason provided  
7 in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

8 5. Code section 2764, in pertinent part, that the expiration of a license shall not deprive  
9 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to  
10 render a decision imposing discipline on the license. Under Code section 2811, subdivision (b),  
11 the Board may renew an expired license at any time within eight years after the expiration.

12 6. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,  
13 or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
14 disciplinary action during the period within which the license may be renewed, restored, reissued  
15 or reinstated.

16 **STATUTORY PROVISIONS**

17 7. Code section 2761 states, in pertinent part:

18 The board may take disciplinary action against a certified or licensed  
19 nurse or deny an application for a certificate or license for any of the following:

20 (a) Unprofessional conduct, . . .

21 (f) Conviction of a felony or of any offense substantially related to the  
22 qualifications, functions, and duties of a registered nurse, in which event the  
record of the conviction shall be conclusive evidence thereof.

23 **COST RECOVERY**

24 8. Code section 125.3 provides, in pertinent part, that the Board may request the  
25 administrative law judge to direct a licensee found to have committed a violation or violations of  
26 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
27 enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Criminal Conviction)

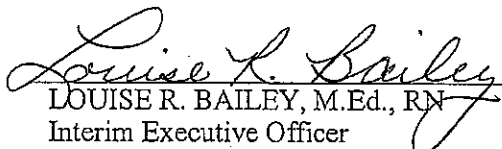
3 9. Respondent is subject to disciplinary action under Code section 2761, subdivision (f),  
4 in that on or about November 19, 2009, in the Superior Court of California, County of Kings, in  
5 the case entitled, *People of the State of California v. Raymundo Arcibal Santos* (Super Ct. Kings  
6 County, 2009, Case No. 09CM2495), Respondent was convicted on his plea of nolo contendere  
7 of violating Penal Code section 242, (Battery), a misdemeanor. The circumstances of the crime  
8 are that on or about May 1, 2009, Respondent did willfully and unlawfully touch D.S., a female  
9 co-worker, while on duty at Hanford Community Hospital. Such crime is substantially related to  
10 the functions, duties, and qualifications of a registered nurse.

11 PRAAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
13 and that following the hearing, the Board of Registered Nursing issue a decision:

- 14 1. Revoking or suspending Registered Nurse License Number 656231 issued to  
15 Raymundo Arcibal Santos, Jr., also known as Raymundo Santos;  
16 2. Ordering Raymundo Arcibal Santos, Jr., also known as Raymundo Santos, to pay the  
17 Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code  
18 section 125.3; and,  
19 3. Taking such other and further action as deemed necessary and proper.

20  
21 DATED: 4/23/10

  
LOUISE R. BAILEY, M.Ed., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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